

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nordine CHEIKH *et al.*

Appln. No.: 09/237,183

Filed: January 26, 1999

Title: Nucleic Acid Molecules and Other  
Molecules Associated with the  
Sucrose Pathway



Art Unit: 1631

Examiner: A. MARSCHEL

Atty. Docket: 16517.228

#21

SECOND REQUEST FOR CORRECTED FILING RECEIPT

RECEIVED

JUL 05 2002

Commissioner for Patents  
Washington, D.C. 20231

TECH CENTER 1600/2900

*Attn: Office of Initial Patent Examination's Customer Service Center*

Sir:

Attached is a copy of the filing receipt issued by the U.S. Patent and Trademark Office (USPTO) in the above-referenced application, for which issuance of a corrected filing receipt is respectfully requested.

Please make the following corrections to the section entitled "Continuing Data As Claimed by Applicant":

Please insert "PROVISIONAL APPLICATION NO. 60/072,888 01/27/98" between "PROVISIONAL APPLICATION NO. 60/069,472 12/09/97" and "PROVISIONAL APPLICATION NO. 60/074,201 02/10/98";

please insert **“PROVISIONAL APPLICATION NO. 60/083,386 04/29/98”** between **“PROVISIONAL APPLICATION NO. 60,083,067 04/27/98”** and **“PROVISIONAL APPLICATION NO. 60/083,387 04/29/98”**;

please insert **“PROVISIONAL APPLICATION NO. 60/083,390 04/30/98”** between **“PROVISIONAL APPLICATION NO. 60/083,389 04/29/98”** and **“PROVISIONAL APPLICATION NO. 60/085,224 05/13/98”**;

please insert **“PROVISIONAL APPLICATION NO. 60/089,814 06/18/98”** between **“PROVISIONAL APPLICATION NO. 60/089,810 06/18/98”** and **“PROVISIONAL APPLICATION NO. 60/089,793 06/18/98”**;

please insert **“PROVISIONAL APPLICATION NO. 60/104,126 10/13/98”** between **“PROVISIONAL APPLICATION NO. 60/101,707 09/25/98”** and **“PROVISIONAL APPLICATION NO. 60/104,128 10/13/98”**;

please insert **“PROVISIONAL APPLICATION NO. 60/109,018 11/18/98”** between **“PROVISIONAL APPLICATION NO. 60/104,123 10/13/98”** and **“PROVISIONAL APPLICATION NO. 60/108,996 11/18/98”**;

please insert **“U.S. APPLICATION NO. 09/199,129 11/24/98”** after **“PROVISIONAL APPLICATION NO. 60/108,996 11/18/98”**;

please correct **“PROVISIONAL APPLICATION NO. 09/210,297 12/08/98”** to read **“U.S. APPLICATION NO. 09/210,297 12/08/98”**; and

after "U.S. APPLICATION NO. 09/210,297 12/08/98", please insert the following:

**PROVISIONAL APPLICATION NO. 60/111,981 12/11/98;**

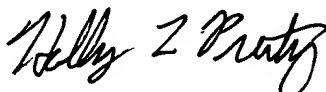
**PROVISIONAL APPLICATION NO. 60/113,224 12/22/98; and**

**U.S. APPLICATION NO. 09/229,413 01/12/99.**

In support of these corrections, Applicants submit herewith a copy of a Response to Notice to File Missing Parts of Application, including a request to correct filing receipt as filed in the U.S. Patent and Trademark Office on June 16, 1999 (copy attached).

The Commissioner is hereby authorized to charge any fees, and/or credit any overpayment to our Deposit Account No. 50-1824, referencing matter number 16517.228.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)

June E. Cohan (Reg. No. 43,741)

Holly Logue Prutz (Reg. No. 47,755)

Date: June 19, 2002

ARNOLD & PORTER  
555 Twelfth Street, N.W.  
Washington, D.C. 20004-1206  
(202) 942-5000 telephone  
(202) 942-5999 facsimile

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/237,183	01/26/99	1649	\$0.00		0	6	3

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MAR 24 1999

JUL 05 2002

DAVID R MARSH  
HOWREY & SIMON  
BOX NO 34  
1299 PENNSYLVANIA AVENUE NW  
WASHINGTON DC 20004

HOWREY & SIMON TECH CENTER 1600/2900

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s) NORDINE CHEIKH; DANE K FISHER; JINGDONG LIU.

CONTINUING DATA AS CLAIMED BY APPLICANT-

- PROVISIONAL APPLICATION NO. 60/067,000 11/24/97
- PROVISIONAL APPLICATION NO. 60/069,472 12/09/97
- PROVISIONAL APPLICATION NO. 60/074,201 02/10/98
- PROVISIONAL APPLICATION NO. 60/074,282 02/10/98
- PROVISIONAL APPLICATION NO. 60/074,280 02/10/98
- PROVISIONAL APPLICATION NO. 60/074,281 02/10/98
- PROVISIONAL APPLICATION NO. 60/074,566 02/12/98
- PROVISIONAL APPLICATION NO. 60/074,567 02/12/98
- PROVISIONAL APPLICATION NO. 60/074,565 02/12/98
- PROVISIONAL APPLICATION NO. 60/075,462 02/19/98
- PROVISIONAL APPLICATION NO. 60/074,789 02/19/98
- PROVISIONAL APPLICATION NO. 60/075,459 02/19/98
- PROVISIONAL APPLICATION NO. 60/075,461 02/19/98
- PROVISIONAL APPLICATION NO. 60/075,464 02/19/98
- PROVISIONAL APPLICATION NO. 60/075,460 02/19/98
- PROVISIONAL APPLICATION NO. 60/075,463 02/19/98
- PROVISIONAL APPLICATION NO. 60/076,912 03/06/98
- PROVISIONAL APPLICATION NO. 60/077,231 03/09/98
- PROVISIONAL APPLICATION NO. 60/077,229 03/09/98
- PROVISIONAL APPLICATION NO. 60/077,230 03/09/98
- PROVISIONAL APPLICATION NO. 60/078,368 03/18/98
- PROVISIONAL APPLICATION NO. 60/080,844 04/07/98
- PROVISIONAL APPLICATION NO. 60/083,067 04/27/98
- PROVISIONAL APPLICATION NO. 60/083,387 04/29/98
- PROVISIONAL APPLICATION NO. 60/083,388 04/29/98
- PROVISIONAL APPLICATION NO. 60/083,389 04/29/98
- PROVISIONAL APPLICATION NO. 60/085,224 05/13/98
- PROVISIONAL APPLICATION NO. 60/085,223 05/13/98
- PROVISIONAL APPLICATION NO. 60/085,222 05/13/98
- PROVISIONAL APPLICATION NO. 60/086,186 05/21/98
- PROVISIONAL APPLICATION NO. 60/086,187 05/21/98
- PROVISIONAL APPLICATION NO. 60/086,185 05/21/98

PROVISIONAL APPL.  
No. 60/072,888  
01/27/98

PROVISIONAL APPL.  
No. 60/083,386  
04/29/98

PROVISIONAL APPL.  
No. 60/083,390  
04/30/98

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
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PAGE 2 JUL 05 2002

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Applicant(s)

PROVISIONAL APPLICATION NO. 60/086,184 05/21/98  
PROVISIONAL APPLICATION NO. 60/086,183 05/21/98  
PROVISIONAL APPLICATION NO. 60/086,188 05/21/98  
PROVISIONAL APPLICATION NO. 60/087,422 06/01/98  
PROVISIONAL APPLICATION NO. 60/089,524 06/16/98  
PROVISIONAL APPLICATION NO. 60/089,810 06/18/98  
PROVISIONAL APPLICATION NO. 60/089,793 06/18/98  
PROVISIONAL APPLICATION NO. 60/090,170 06/22/98  
PROVISIONAL APPLICATION NO. 60/090,928 06/26/98  
PROVISIONAL APPLICATION NO. 60/091,035 06/29/98  
PROVISIONAL APPLICATION NO. 60/091,405 06/30/98  
PROVISIONAL APPLICATION NO. 60/092,036 07/08/98  
PROVISIONAL APPLICATION NO. 60/099,667 09/09/98  
PROVISIONAL APPLICATION NO. 60/099,670 09/09/98  
PROVISIONAL APPLICATION NO. 60/099,697 09/09/98  
PROVISIONAL APPLICATION NO. 60/100,674 09/16/98  
PROVISIONAL APPLICATION NO. 60/100,673 09/16/98  
PROVISIONAL APPLICATION NO. 60/100,672 09/16/98  
PROVISIONAL APPLICATION NO. 60/101,131 09/21/98  
PROVISIONAL APPLICATION NO. 60/101,132 09/21/98  
PROVISIONAL APPLICATION NO. 60/101,130 09/21/98  
PROVISIONAL APPLICATION NO. 60/101,508 09/22/98  
PROVISIONAL APPLICATION NO. 60/101,344 09/22/98  
PROVISIONAL APPLICATION NO. 60/101,347 09/22/98  
PROVISIONAL APPLICATION NO. 60/101,343 09/22/98  
PROVISIONAL APPLICATION NO. 60/101,707 09/25/98  
PROVISIONAL APPLICATION NO. 60/104,128 10/13/98  
PROVISIONAL APPLICATION NO. 60/104,127 10/13/98  
PROVISIONAL APPLICATION NO. 60/104,124 10/13/98  
PROVISIONAL APPLICATION NO. 60/104,123 10/13/98  
PROVISIONAL APPLICATION NO. 60/108,996 11/18/98

PROVISIONAL APPL.  
No. 60/089,814  
06/18/98

PROVISIONAL APPL.  
No. 60/104,126  
10/13/98

PROVISIONAL APPL.  
No. 60/109,018  
11/18/98

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/237,183	01/26/99	1649	\$0.00		0	6	3

DAVID R MARSH  
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WASHINGTON DC 20004

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MAR 24 1999 PAGE JUL 5 2002

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Applicant(s)

U.S. APPLICATION NO. 09/199,129 11/24/98  
PROVISIONAL APPLICATION NO. 09/210,297 12/08/98  
U.S.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 03/16/99

TITLE  
NUCLEIC ACID MOLECULES AND OTHER MOLECULES ASSOCIATED WITH THE  
SUCROSE PATHWAY CROSS REFERENCE TO RELATED APPLICATION

PRELIMINARY CLASS: 800

PROVISIONAL APPLICATION NO. 60/111,981 12/11/98  
PROVISIONAL APPLICATION NO. 60/113,224 12/22/98  
U.S. APPLICATION NO. 09/229,413 01/12/99

DATA ENTRY BY: BLIZZARD, SHARON .L TEAM: 01 DATE: 03/16/99

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

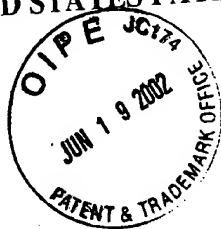
In re application of:

Nordine CHEIKH *et al.*

Appln. No.: 09/237,183

Filed: January 26, 1999

For: Nucleic Acid Molecules and Other Molecules  
Associated with the Sucrose Pathway



Art Unit: 1649

Examiner: To Be Assigned

Atty. Docket: 04983.0015.US01/  
38-21(15089)B

Response to Notice to File Missing Parts of Application **RECEIVED**

JUL 05 2002

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

TECH CENTER 1600/2900

Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted dated March 17, 1999, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts of Application – Filing Date Granted;
2. Original Combined Declaration and Power of Attorney for Patent Application, executed by inventor Nordine Cheikh;
3. Original Combined Declaration and Power of Attorney for Patent Application, executed by inventor Dane K. Fisher;
4. Original Combined Declaration and Power of Attorney for Patent Application, executed by inventor Jingdong Liu;
5. Return postcard; and
6. Howrey & Simon Check No. 311787 for \$1,000.00 to cover:

\$ 760.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);  
\$ 130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16); and  
\$ 110.00 for Extension of Time fees under 37 C.F.R. § 1.136.

It is noted that the Filing Receipt dated March 16, 1999, contains errors made by the U.S. Patent and Trademark Office. Specifically, the following errors are noted:

1. The following prior provisional applications were omitted from the "Continuing Data as Claimed by Applicant":

PROVISIONAL APPLICATION NO. 60/072,888 01/27/98  
PROVISIONAL APPLICATION NO. [ATTY. DKT. NO. 38-21(15348)A] 04/29/98  
PROVISIONAL APPLICATION NO. [ATTY. DKT. NO. 38-21(15365)A] 04/30/98  
PROVISIONAL APPLICATION NO. 60/089,814 06/18/98  
PROVISIONAL APPLICATION NO. 60/104,126 10/13/98  
PROVISIONAL APPLICATION NO. 60/109,018 11/18/98  
PROVISIONAL APPLICATION NO. 60/113,224 12/22/98

2. Utility Application No. 09/210,297 filed December 8, 1998, was incorrectly identified as a provisional application in the Filing Receipt.

3. The following two utility applications were incorrectly omitted from the "Continuing Data as Claimed by Applicant":

APPLICATION NO. 09/199,129 11/24/98

APPLICATION NO. 09/229,413 01/12/99

4. The title of the application should read:

NUCLEIC ACID MOLECULES AND OTHER MOLECULES ASSOCIATED WITH THE  
SUCROSE PATHWAY

The applications listed in items 1 and 3 above were indicated in the transmittal letter filed with the application on January 26, 1999 (copy enclosed), and are also listed on the enclosed executed Combined Declaration and Power of Attorney for Patent Application. At the time of filing the present application, the serial numbers for the applications listed in item 3 were not known; therefore, they were identified in the transmittal letter by their attorney docket number, title, and filing date.

It is recognized that a new Filing Receipt will be issued upon receipt of the executed Declaration, and it is respectfully requested that the above-noted errors not be perpetuated in the new Filing Receipt. A copy of the Filing Receipt, with the corrections marked in red, is enclosed for convenience.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038. A duplicate copy of this Response is enclosed.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)

Date: June 16, 1999

HOWREY & SIMON  
Box No. 34  
1299 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2402  
(202) 783-0800



# COPY

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Atty. Ref.: 04983.0015.US01/38-21(15089)B

Date: June 16, 1999

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Nordine CHEIKH *et al.*

Serial No.: 09/237,183

Filing Date: January 26, 1999

Title: Nucleic Acid Molecules and Other Molecules Associated with the Sucrose Pathway

Art Unit: 1649

Examiner: To Be Assigned

Assistant Commissioner for Patents  
Washington, DC 20231

Attn: Box Missing Parts

Sir:

Please place the U.S. Patent & Trademark Office receipt stamp hereon to acknowledge receipt of the following:

1. Transmittal Letter to the Assistant Commissioner for Patents (in duplicate);
2. Petition for Extension of Time under 37 C.F.R. § 1.136 (in duplicate);
3. Response to Notice to File Missing Parts of Application (in duplicate);
4. Copy of Notice to File Missing Parts of Application – Filing Date Granted;
5. Copy of transmittal letter to Assistant Commissioner for Patents filed January 26, 1999;
6. Marked-up copy of Filing Receipt showing corrections;
7. Original Combined Declaration and Power of Atty. for Patent Appln., executed by inventor Nordine Cheikh (7 pages);
8. Original Combined Declaration and Power of Atty. for Patent Appln., executed by inventor Dane K. Fisher (7 pages);
9. Original Combined Declaration and Power of Atty. for Patent Appln., executed by inventor Jingdong Liu (7 pages);
10. Second Supplemental Information Disclosure Statement;
11. Form PTO-1449 (3 pages), with 8 accompanying documents;
12. Howrey & Simon Check No. 311787 in the amount of \$1,000.00 to cover the basic filing fee, surcharge for filing a late declaration, and the fee for a 1-month extension of time; and
13. Return postcard.

Receipt

# ARNOLD & PORTER

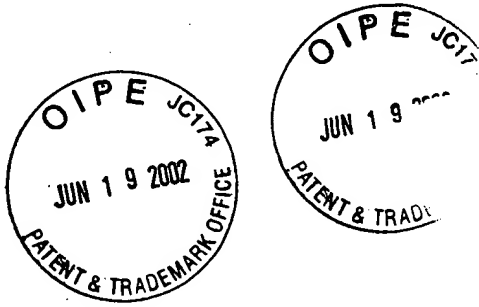
Holly Logue Prutz  
Holly\_Prutz@aporter.com  
202.942.5243  
202.942.5999 Fax  
555 Twelfth Street, NW  
Washington, DC 20004-1206

June 19, 2002

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Commissioner for Patents  
Washington, D.C. 20231

*Attn: Office of Initial Patent Examination's  
Customer Service Center*

Re: U.S. Patent Application No. 09/237,183  
Filed: January 26, 1999  
Title: **Nucleic Acid Molecules and Other Molecules Associated with  
the Sucrose Pathway**  
Inventors: Nordine CHEIKH *et al.*  
Atty. Docket: 16517.228

Sir:

The following documents are forwarded herewith for appropriate action by the  
U.S. Patent and Trademark Office (USPTO):

1. A Second Request for Corrected Filing Receipt;
2. A copy of a Filing Receipt with corrections indicated in red;
3. A copy of a Notice to File Missing Parts of Application, including  
corrections noted for filing a request for corrected filing receipt dated June  
16, 1999, together with a copy of the date stamped postcard;
4. A copy of a Change of Correspondence Address; and
5. Return postcard.

Please stamp the attached postcard with the filing date of these documents and  
return it to our courier.

---

# ARNOLD & PORTER

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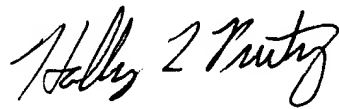
Commissioner for Patents

June 19, 2002

Page 2

Applicants do not believe that any fees are due in connection with this request. However, if any charges are deemed appropriate, Applicants hereby authorize the Commissioner to charge the fees, and/or credit any overpayment to our Deposit Account No. 50-1824, referencing matter number 16517.228.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Holly 2 Prutz".

David R. Marsh (Reg. No. 41,408)

June E. Cohan (Reg. No. 43,741)

Holly Logue Prutz (Reg. No. 47,755)

Attachments